IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

**HON'BLE SRI JUSTICE V.V.S. RAO**

W.P. No. 26653 OF 2005

Date: 19.12.2005

BETWEEN:

D.L. Narasimha Rao,

…. PETITIONER

And

1. The Collector, Ananthapur District, Ananthapur, and others.

…. RESPONDENTS

**HONOURABLE SRI JUSTICE V.V.S. RAO**

**WRIT PETITION No. 26653 OF 2005**

**ORDER**:

The petitioner claims to be the owner of the properties in an extent of Acs.7.55 in S.No.1267, Acs.8.02 in S.No.898, Acs.0.81 in S.No.977, Acs.0.5½ in S.No.978, of Gandlapenta village and Mandal and Acs.1.22 in S.No.86, Acs.2.02 in S.No.37, Acs.6.93 in S.No.88, Acs.4.30 in S.No.85 and Acs.0.10 in S.No.200 of Somajulapalle Revenue Village, by virtue of a Will executed by one Chinna Narasamma W/o. Lakshminarayana Rao. After her death, the petitioner succeeded to the properties and sometime thereafter, approached the third respondent for issuance of necessary pattadar passbooks and title deeds. The petitioner states that the application was taken for enquiry in Roc.No.58 of 2004. When the same was pending, the fourth respondent also applied for assignment of pattadar passbooks. By proceedings dated 25.5.2004, the third respondent advised the petitioner and the fourth respondent to approach the Civil Court for settlement of their rights. Accordingly, the petitioner filed O.S.No.296 of 1997 on the file of the Court of the Principal Junior Civil Judge, Kadiri. In view of a settlement between the petitioner and the fourth respondent, the petitioner did not press the suit and accordingly, the same was dismissed as not pressed. However, the petitioner filed C.R.P.No.3090 of

2004 and the same is pending. In the meanwhile, the third respondent opened the proceedings in Roc.No.58 of 2004 at the instance of the fourth respondent, but decline to pass any orders. Therefore, the petitioner filed the present writ petition seeking a direction to third respondent to dispose of the matter, or issue a copy of the order if there is one by which the fourth respondent was granted pattadar passbooks.

Heard, the learned counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). Even according to the petitioner he is not aware whether the third respondent has passed any orders in the reopened Roc.No.58 of 2004 after dismissal of the suit in O.S.No.296 of 1997 by the Court of the Principal Junior Civil Judge. Therefore, it would be in the interest of justice to direct the third respondent to dispose of the matter within a period of four months. If the matter is already disposed of, the third respondent is directed to furnish a copy of the proceedings to the petitioner, and the petitioner is given liberty to agitate the matter before appropriate authorities under the provisions of A.P. Rights in Land and Pattadar Pass Books Act, 1971.

The Writ Petition, with the above observations, is accordingly disposed of at the admission stage.

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(**V.V.S. RAO, J.**)

19th December, 2005

Js.